I hereby certify that this correspondence is being transmitted via the Office Electronic Filing System on the date shown below.

Dated: September 19, 2008

Signature: (G. Naristonner Braidwood)

Atty. Docket No.: 10040-04 PEL-01A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul Nizzere et al.

Application No.: 10/590,815

Filed: August 25, 2006

For: Scale

Confirmation No.: 1157

Art Unit: Unknown

Examiner: To Be Determined

RESPONSE TO DECISION DISMISSING RULE 47 PETITION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in response to the "Decision on Petition under 37 CFR 1.47(a)" dated February 19, 2008.

The applicants respectfully request reconsideration based on the following documents submitted herewith:

- 1. Five declarations for all inventors except the non-signing inventors, Matthew Lawler and Theron Kotze, including a new declaration signed by inventor Chris Kulujian;
- 2. A declaration of G. Christopher Braidwood, along with documentary evidence in support of the petition; and
 - 3. A petition for extension of time.

The requisite fees under 37 CFR 1.17(a)(5) are being paid via the Office Electronic Filing System. Applicant hereby authorizes the Commissioner to charge any additional fee or credit any overpayment of fees to deposit Account No. 50-3866.

The applicants respectfully submit that the documents submitted herewith address each of the deficiencies identified in the decision dismissing the applicants' petition under Rule 47(a). The applicants accordingly submit that the requirements of Rule 47(a) have now been met.

Based on the foregoing, the applicants respectfully request that the applicants' petition be granted, and that the present application be deemed filed in the name of the signing inventors on behalf of the non-signing inventors.

Dated: September 19, 2008

Respectfully submitted,

G. Christopher Braidwood Registration No.: 41,631 Lempia Braidwood LLC 223 W. Jackson Blvd. Suite 620, Brooks Bldg. Chicago, IL 60606 (312) 291-0860 Attorney for Applicant I hereby certify that this correspondence is being transmitted via the Office Electronic Filing System on the date shown below

Dated: September 19, 2008



Atty. Docket No.: 10040-04 PEL-01A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul Nizzere et al.

Application No.: 10/590,815

Filed: August 25, 2006

For: Scale

Confirmation No.: 1157

Art Unit: Unknown

Examiner: To Be Determined

DECLARATION OF G. CHRISTOPHER BRAIDWOOD PURSUANT TO 37 C.F.R. § 1.47

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

- I, G. Christopher Braidwood, hereby state as follows:
- 1. I am a partner in the law firm of Lempia Braidwood LLC, which has been engaged by Rubbermaid, Inc., which is a division of Newell Rubbermaid, Inc., to act on its behalf before the U.S. Patent and Trademark Office ("the Office") in connection with the above-identified application Serial No. 10/590,815 ("the application"). In that capacity, I have worked with Ms. Karen Kaplan, the patent paralegal for Rubbermaid, Inc. responsible for obtaining signatures on documentation pertaining to patent applications filed with the Office and assigned or to be assigned from the inventors to Rubbermaid, Inc.

2. I conducted internet searches in an attempt to locate two inventors that have yet to execute a declaration in this application, Matthew Lawler and Theron Kotze. The internet searches were generally intended to supplement the internet searches previously conducted by Ms. Kaplan. As set forth in Ms. Kaplan's declaration previously submitted in this application, the internet searches utilized the website, whitepages.com.

3. To the best of my knowledge, no documentation of the internet searches at whitepages.com exists.

4. I conducted the internet searches in an attempt to determine a mailing address for Matthew Lawler other than his last known address to which a declaration was previously sent, and which is:

Matthew Lawler 13738 West Ironwood Circle Homerglen, Illinois 60441

5. I conducted the internet searches in an attempt to determine a mailing address for Theron Kotze other than his last known address to which a declaration was previously sent, and which is:

Theron Kotze 1510 West Byron, Apt. 1 Chicago, Illinois, 60613

- 6. Using the internet website <u>www.anywho.com</u>, I was unable to determine a new mailing address for Matthew Lawler. See Exhibit A attached hereto.
- 7. Using the internet website www.anywho.com, I was unable to determine a new mailing address for Theron Kotze. See Exhibit B attached hereto.

- 8. Using the internet website <u>www.anywho.com</u>, I was unable to determine a new phone number for Matthew Lawler. See Exhibit A attached hereto.
- 9. Using the internet website <u>www.anywho.com</u>, I was unable to determine a new mailing address for Theron Kotze. See Exhibit B attached hereto.
- 10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the above-reference patent application and any patent issued therefrom.

Date: SEPTEMBER 19, 2008

G. Christopher Braidwood Lempia Braidwood LLC



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Last Name Required First Name Street lawier matthew TIP: Try the 1st 4 letters TIP: Try just the 1st letter TIP: Don't include St, Ave. etc

AND THE PROPERTY OF THE PROPER

ZIP Code State IL

You searched for: matthew lawler in IL

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Matthew Lawier - Phone Number, Address & Public Records Available,

Can't find matthew lawler? Try Classmates.com!

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Why don't you try a business search on the name?

Unable to return results...

Reason: No listings were found.

We searched on matthew lawler in IL however; we could not find any listings to display.

Possible solutions: Please alter your search information using one of the following (in priority order).

- 1. Check to see if your information was entered correctly. Make sure you're using the correct spelling or location (street, city, state or zip).
- Too much information was entered. A common mistake is being too specific. Start with broader range of search information then narrow down if needed.
 - a. Some listings in the database do not contain zip codes, resulting in listings not being found.
 - b. For cities with multiple zip codes, use the city instead of the zip code when possible or just search within the state.
 - c. For a Person: Use a partial (wildcard) last name instead of the full last name. Try removing the first name or only use the first initial. Also, the listing may be under a spouse's name.
- Finally, the listing you're looking for is a non-published listing. Non-published listings are not contained within the database.

Please try your search again based on one of the possible solutions using the form above.

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FIND A PERSON

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Last Name Required First Name kotze

theron TIP: Try just the 1st letter

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You searched for: theron kotze in IL

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Reason: No listings were found.

We searched on theron kotze in IL however; we could not find any listings to display.

Possible solutions: Please after your search information using one of the following (in priority order).

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- Too much information was entered. A common mistake is being too specific. Start with broader range of search information then narrow down if needed.
 - a. Some listings in the database do not contain zip codes, resulting in listings not being found.
 - b. For cities with multiple zip codes, use the city instead of the zip code when possible or just search within the state.
 - c. For a Person: Use a partial (wildcard) last name instead of the full last name. Try removing the first name or only use the first initial. Also, the listing may be under a spouse's name.
- Finally, the listing you're looking for is a non-published listing. Non-published listings are not contained within the database.

Please try your search again based on one of the possible solutions using the form above.

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Utah Vermont Virginia Washington West Virginia Wisconsin Wyoming

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless if displays a valid OMB control number. Docket Number (Optional) PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) 10040-04 PEL-01A FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).) Application Number 10/590,815 Filed August 25, 2006 Scale For To Be Determined Art Unit Unknown Examiner This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): Fee Small Entity Fee One month (37 CFR 1.17(a)(1)) \$120 \$60 \$ Two months (37 CFR 1.17(a)(2)) \$230 \$460 Three months (37 CFR 1.17(a)(3)) \$1050 \$525 \$ Four months (37 CFR 1.17(a)(4)) \$820 \$ \$1640 X Five months (37 CFR 1.17(a)(5)) \$2230 \$1115 2230.00 Applicant claims small entity status. See 37 CFR 1.27. A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director has already been authorized to charge fees in this application to a Deposit Account. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-3866 . I have enclosed a duplicate copy of this sheet. I am the applicant/inventor. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96). attorney or agent of record. Registration Number attorney or agent under 37-6FR 1.34. Registration pumber if acting under 37 CFR 1.34 September 19, 2008 Date G. Christopher Braidwood (312) 291-0860 Typed or printed name Telephone Number NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below. Total of forms are submitted.

I hereby	certify that this correspondence	e is being transmitted via the Office Electronic Fil	ng Sys	em on the date shown below.
Dated:	September 19, 2008	Signature:	<u> </u>	(G. Christopher Braidwood)
			•	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SCALE

the specification of which was filed on August 25, 2006 as Application No. 10/590,815

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

•	
X no such foreign applications have been filed	
such foreign application have been filed as for	llows:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
			Yes No
	,		Yes No
			Yes No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing (dd/mm/yyyy)
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CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, 1	United States Cod	le §119(e), d	of any United States
provisional patent application(s) listed below:	•		-

	no such	U.S. p	provisional	applications	have	been	filed.
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X	such U.S.	provisional	application	have been	filed as	follows:
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Application Number	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
60/548,712	27 February 2004	X Yes No
		Yes No
	•	Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the

first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

no such U.S./PCT applications have been filed.

X such U.S./PCT application have been filed as follows:

Application Number	Date of Filing (dd/mm/yyyy)
PCT/US2005/006414	28 February 2005

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 58898

all of LEMPIA IP GROUP, LLC, 223 W. Jackson Blvd., Suite 6200, Brooks Bldg., Chicago, Illinois 60606, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Bryan J. Lempia whose address is:

Lempia IP Group, LLC 223 W. Jackson Blvd. Suite 620, Brooks Bldg. Chicago, IL 60606

Please direct telephone calls to:

Bryan J. Lempia at (312) 291-0860

Please direct facsimiles to:

(312) 291-0864

Full name of sole or first inventor			•
Paul D. Nizzere			;
Sole or first inventor's signature		15	·
Bole of first inventor's arguature	•	Date	
Residence: Darien, Illinois		•	
•			
Citizenship United States			
Mailing Address		 	
7713 Stevens Street			•
Darien, Illinois 60561			-
United States of America			
Officed States of Afficience	·	•	
Full name of second inventor, if any			
Matthew H. Lawler	*		
Second inventor's signature	***************************************	Date	
Residence: Homerglen, Illinois		l	
	·		
Citizenship: United States			
Mailing Address			
		•	
13738 West Ironwood Circle			
Homerglen, Illinois 60441 United States of America		•	•
Office States of America	·	•	
		,	
Full name of third inventor, if any		٠.	
Carla DeYoung			
Third inventor's signature		Date	
	e m		
Residence Joliet, Illinois		<u> </u>	
•			
Citizenship United States			
Mailing Address		······································	
902 Clement			
Joliet, Illinois 60437			
United States of America	•	•	· •

Full name of sole or first inventor	
Chris Kulujian	
Sole or first inventor's signature	Date
	•
Residence: Chicago, Illinois	
Mondono. Omodgo, minos	
Citizenship United States	
Mailing Address	
1020 West Ardmore 1M	
Chicago, Illinois 60660	
United States of America	
Full name of sole or first inventor	
Morad Ghassemian	
Sole or first inventor's signature	
Sole or thist inventor's signature	Date
Residence: Oak Park, Illinois	
C22121-0(-)	
Citizenship United States	
Mailing Address	
1225 North Oak Park Avenue	•
Oak Park, Illinois 60302	
United States of America	
Full name of sole or first inventor	
Theron Kotze	
Sole or first inventor's signature	
Sole of fust inventor's signature	Date
•	
Residence: Chicago, Illinois	
Citizenskin I Inited Ct. 4	
Citizenship United States	
Mailing Address	,
1510 West Byron, Apt. 1	•
Chicago, Illinois 60613	
United States of America	
	•

Date
11/25/07
·

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SCALE

the specification of which was filed on August 25, 2006 as Application No. 10/590,815

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

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FOREIGN PRIORITY CLAIM

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of the application on which priority is claimed:		
X no such foreign applications have been filed	 	
such foreign application have been filed as follows:		
		•

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	ion Number Country Date of Filing (dd/mm/yyyy)		Priority Claimed Under 35 USC 119
			Yes No
		4	Yes No
			Yes No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing (dd/mm/yyyy)
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CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under	Title 35,	United State	s Code	§119(e),	of any	United Stat	es
provisional patent application(s) listed	below:	•		. '			

ſ	no such U.S.	provisional	applications	have	been filed.
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	X	such U.S.	provisional	application	have been	filed as foll	OWS.
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Application Number	pplication Number Date of Filing (dd/mm/yyyy)	
60/548,712	27 February 2004	X Yes No
		Yes No
	• .	Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the

first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

no such U.S./PCT applications have been filed.

X such U.S./PCT application have been filed as follows:

Application Number	Date of Filing (dd/mm/yyyy)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 58898

all of LEMPIA IP GROUP, LLC, 223 W. Jackson Blvd., Suite 6200, Brooks Bldg., Chicago, Illinois 60606, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

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Lempia IP Group, LLC 223 W. Jackson Blvd. Suite 620, Brooks Bldg. Chicago, IL 60606

Please direct telephone calls to:

Bryan J. Lempia at (312) 291-0860

Please direct facsimiles to:

(312) 291-0864

Full name of sole or first inventor		
Paul D. Nizzere		
Sole or first inventor's signature		Date
Ų am a	•	
,		
		,
Residence: Darien, Illinois		
Citizenship United States		
Mailing Address		
7713 Stevens Street		*1
Darien, Illinois 60561	# 1 m	
United States of America		
T-41		
Full name of second inventor, if any	·	
Matthew H. Lawler		
Second inventor's signature		Date
	,	
Residence: Homerglen, Illinois		
Citizenship: United States		
Mailing Address		
13738 West Ironwood Circle		
Homerglen, Illinois 60441		
United States of America		
Full name of third inventor, if any		:
Carla DeYoung	•	
Third inventor's signature		Date
Cel Oll-		2/20/07
Residence Joliet, Illinois		1 8/20 /0 /
residence series, immors		
Citizenship United States		
Mailing Address		
902 Clement		
Joliet, Illinois 60437		•
United States of America		
		·

Full name of sole or first inventor	
Chris Kulujian	•
Sole or first inventor's signature	Date
Residence: Chicago, Illinois	
,	
Citizenship United States	
Mailing Address	· · · · · · · · · · · · · · · · · · ·
1020 West Ardmore 1M	
Chicago, Illinois 60660	
United States of America	
Full name of sole or first inventor	
Morad Ghassemian	
Sole or first inventor's signature	Date
•	
Residence: Oak Park, Illinois	
Residence. Our I may Illinois	
Citizenship United States	
Mailing Address	
1225 North Oak Park Avenue	
Oak Park, Illinois 60302	
United States of America	
Full name of sole or first inventor	<u></u>
Theron Kotze	
Sole or first inventor's signature	Date
of moving of organization	
The court of the c	
Residence: Chicago, Illinois	-
Citizenship United States	
Mailing Address 1510 West Pares Art 1	
1510 West Byron, Apt. 1	·
Chicago, Illinois 60613	
United States of America	

Full name of sole or first inventor		 .,				
Timothy A. Bearint						
Sole or first inventor's signature			Date			
					,	
Residence: Mokena, Illinois			• .			
Citizenship United States	·			 ,		
Mailing Address			·····			
10843 Canterbury Drive			•			
Mokena, Illinois 60448						. 1
United States of America						

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SCALE

the specification of which was filed on August 25, 2006 as Application No. 10/590,815

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X	no su	ich fore	ign appli	cations l	nave been	filed	
	such	foreign	applicati	on have	been file	d as follow	s:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
			Yes No
			Yes No
			Yes No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing (dd/mm/yyyy)
		4
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CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35,	United States Cod	le §119(e), of any	United States
provisional patent application(s) listed below:	;		

	no s	uch U.S.	provisional	applications	have	been filed.
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Application Number	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
60/548,712	27 February 2004	X Yes No
		Yes No
	· ·	Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

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first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

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X such U.S./PCT application have been filed as follows:

Application Number	Date of Filing (dd/mm/yyyy)
PCT/US2005/006414	28 February 2005
	+

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 58898

all of LEMPIA IP GROUP, LLC, 223 W. Jackson Blvd., Suite 6200, Brooks Bldg., Chicago, Illinois 60606, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Bryan J. Lempia whose address is:

Lempia IP Group, LLC 223 W. Jackson Blvd. Suite 620, Brooks Bldg. Chicago, IL 60606

Please direct telephone calls to:

Bryan J. Lempia at (312) 291-0860

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Full name of sole or first inventor	
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Sole or first inventor's signature	I Date
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Mailing Address	
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United States of America	
Officer States of Afficines	
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Second inventor's signature	Date
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Citizenship: United States	
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Carla DeYoung	
Third inventor's signature	Date
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Citizenship United States	
Mailing Address	
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Toliet, Illinois 60437	
United States of America	
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Full name of sole or first inventor	
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Sole or first inventor's signature	
	Date
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Citizenship United States	
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	USA
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Morad Ghassemian	
Sole or first inventor's signature	Date
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	*
Citizenship United States	
Mailing Address	
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United States of America	* ************************************
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Theron Kotze	
Sole or first inventor's signature	Date
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Residence: Chicago, Illinois	
4.	
Citizenship United States	
Mailing Address	
1510 West Byron, Apt. 1	
Chicago, Illinois 60613	,^
United States of America	*

Timothy A. Bearint	
Sole or first inventor's signature	Date
Residence: Mokena, Illinois	1
Citizenship United States	
Meiling Address 10843 Cariterbury Drive	
Mokena, Illinois 60448	· · · · · · · · · · · · · · · · · · ·
United States of America	¥

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SCALE

the specification of which was filed on August 25, 2006 as Application No. 10/590,815

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of an	nу
foreign application(s) for patent or inventor's certificate listed below and have also identifie	d
below any foreign application for patent or inventor's certificate having a filing date before	that
of the application on which priority is claimed:	

of the application of which priority is craimed.				
X no such foreign applications have been filed				
such foreign application have been filed as follows:	,	:		٠

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
			Yes No
		·	Yes No
	· · · · · · · · · · · · · · · · · · ·		Yes No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	olication Number Country	
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CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), o	of any l	United States
provisional patent application(s) listed below:	•	•

ĺ	 			_		_
	no such U.S.	provisional	applications	have	been file	ed.

X such U.S. provisional application have been filed as follows:

Application Number	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119
60/548,712	27 February 2004	X Yes No
·		Yes No
		Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the

first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

	no such U.S./PCT applications have been filed.
X	such U.S./PCT application have been filed as follow

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 58898

all of LEMPIA FORMAN LLC, 223 W. Jackson Blvd., Suite 620, Brooks Bldg., Chicago, Illinois 60606, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

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Please direct facsimiles to:

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Full name of sole or first inventor	,	·
Paul D. Nizzere		
Sole or first inventor's signature		Date
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Citizenship United States		
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United States of America		-
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Full name of second inventor, if any		
Matthew H. Lawler		
Second inventor's signature		Date
Residence: Homerglen, Illinois		*
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Citizenship: United States		
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United States of America		
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Full name of third inventor, if any		
Carla DeYoung		
Third inventor's signature		Date
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Citizenship United States		
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Chicago, Illinois 60660	HICAGO 11,60618	C.J.K.
United States of America U	SA	SEPT 19,2008
Full name of sole or first inventor		
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1225 North Oak Park Avenue		•
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Full name of sole or first inventor		
Theron Kotze		
Sole or first inventor's signature	· · · · · · · · · · · · · · · · · · ·	Date
,		
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Mailing Address		
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Chicago, Illinois 60613		
United States of America	· ·	

Full name of sole or first inventor		
Timothy A. Bearint		
Sole or first inventor's signature	Date	
Residence: Mokena, Illinois		
Citizenship United States		
Mailing Address		
10843 Canterbury Drive		•
Mokena, Illinois 60448	·	-
United States of America		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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the specification of which was filed on August 25, 2006 as Application No. 10/590,815

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I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

X	no such foreign applications have been filed
	such foreign application have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing (dd/mm/yyyy)	Priority Claimed Under 35 USC 119		
	•		Yes No		
			Yes No		
			Yes No		

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application	Namber	Country	i di nabian Pinana An	Date of Filing (dd/mm/yyyy)	
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CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

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X such U.S. provisional application have been filed as follows:

	Application Number	Date of Filing (dd/iero/yyyy).	Priority Claimed Under 33 USC 119
Ŀ	60/548,712	27 February 2004	X Yes No
			Yes No
		•	Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

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and the national or PCT international filing date of this application:

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Application Number	Date of Filing (dd/mm/yyyy)	
PCT/US2005/006414	28 February 2005	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Please direct telephone calls to:

Bryan J. Lempia at (312) 291-0860

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Full name of sole or first inventor	
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Full name of third inventor, if any	
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Third inventor's signature	Date
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Full name of sole or first inventor	
Morad Ghassemian	and the first of t
sole or first inventor's signature	Date
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